

UTILITY PATENT APPLICATION TRANSMITTAL*(Only for new nonprovisional applications under 37 CFR 1.53(b))*Docket No:
D-2939CIPCONDIV1

Total Pages in this Submission

TO THE COMMISSIONER FOR PATENTS
MAIL STOP PATENT Application
PO BOX 1450
ALEXANDRIA, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 CFR 1.53(b) is a new utility patent application for an invention entitled:

SOLUBLE RECOMBINANT BOTULINUM TOXIN PROTEINS

and invented by:

WILLIAMS

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: Serial No. 10/271,012, filed October 15, 2002, which is a continuation of application Serial No. 08/704,159, filed August 28, 1996, which is a continuation-in-part of application Serial No. 08/405,496, filed March 16, 1995, now issued U.S. Patent No. 5,919,665.

Enclosed are **Application Elements**:

- ☒ Filing Fee
- ☒ Specification having 451 page(s) and including the following:
- ☒ Title of the Invention
 - ☒ Cross References to Related Applications (*if applicable*)
 - ☒ Background of the Invention
 - ☒ Brief Summary of the Invention
 - ☐ Description of the Drawings
 - ☒ Detailed Description
 - ☒ Claim(s) as Classified Below
 - ☒ Abstract of the Disclosure
- ☐ Sheets of Drawings(s) (37 CFR 113) ☐ Formal ☐ Informal
- ☒ Oath or Declaration ☒ Executed ☐ Unexecuted
- ☒ Copy from prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)
- ☒ Power of Attorney ☒ Executed ☐ Unexecuted
- ☒ Copy from prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)
- ☒ Incorporation By Reference -- The entire disclosure of the prior application from which a copy of the oath or declaration is supplied under the above entry, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ Computer Program in Microfiche (*Appendix*)

Accompanying Application Parts

- ☒ Assignment Papers (cover sheets & documents(s))
- ☒ The prior application is assigned of record to
- ☒ Copy from prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)

D-2939CIPCON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT

In re application of:

WILLIAMS

)

Group Art Unit:1648

)

Serial No. 10/271,012

)

Examiner: to be assigned

)

Dated: October 15, 2002

)

)

For: SOLUBLE RECOMBINANT BOTULINUM
TOXIN PROTEINS

)

I hereby certify that this correspondence is being
deposited with the United States Postal Service
with sufficient postage as first class mail in
an envelope addressed to: Assistant Commissioner
for Patents, Washington, DC 20231, on or before

January 27, 2003
[Signature]

Title [Signature]

Date 1/27/03

AMENDMENT, PETITION AND FEE UNDER 37 CFR 1.48(b) DELETING
CORRECT ORIGINALLY NAMED INVENTOR WHO IS NOT ACTUAL INVENTOR
NOW BEING CLAIMED

Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

This amendment and petition under 37 CFR §1.48(b) is to delete the name of Bruce S. Thalley who was originally named as inventor and whose invention is no longer being claimed in the application in view of cancellation of claims made in the Preliminary Amendment in the present case.

The Commissioner is hereby authorized to charge any additional fee or credit overpayment to our Deposit Account No. 01-0885.

Respectfully submitted,

[Signature]

Frank J. Uxa
Attorney for Applicant
Registration No. 25,612
4 Venture, Suite 300
Irvine, CA 92618
(949)450-1750
(949)450-1764 Facsimile

DOCKET NO.: D-2939CIPCONDIV1

THE ENCLOSED PATENT APPLICATION OF WILLIAMS IS BEING
FILED IN ACCORDANCE WITH SECTION 37 CFR 1.10 BY EXPRESS
MAIL AND SHOULD BE ACCORDED A FILING DATE OF:

December 5, 2003

SEE THE EXPRESS MAIL CERTIFICATE ATTACHED TO THE APPLICATION.

D-2939CIPCONDIV1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT

In the application of:)	
WILLIAMS)	Group Art Unit: N/A
)	(Prior App.: 1648)
Serial No. N/A)	
)	Examiner: N/A
)	(Prior App.: Li, Bao Q.)
Filed: Submitted herewith)	
For: SOLUBLE RECOMBINANT BOTULINUM)	
TOXIN PROTEINS)	

Express Mail Mailing Label No. EL 980247597

Date of Deposit: December 5, 2003

I hereby certify that the following documents as identified below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Commissioner for Patents, MS Patent Application, PO Box 1450, Alexandria, VA 22313-1450.

1. Utility Patent Application Transmittal;
2. Application Data Sheet
3. Copy of prior application and Declaration;
4. Copy of prior application Assignment Papers;
5. Preliminary Amendment;
6. Entry of Sequence Listing;
7. Copy of Amendment, Petition and Fee Under 37 CFR 1.48(b) Deleting Correct Originally Named Inventor Who is Not Actual Inventor Now Being Claimed;
8. Copies of Associate Powers of Attorney from prior application;
9. Copy of Declaration from prior application;
10. Copies of Assignments from prior application;
11. Information Disclosure Statement; and
12. PTO 1449s.

The 12 above-identified documents are enclosed herewith.

Respectfully submitted,



Janet E. McGhee, Office of
Frank J. Uxa
Attorney for Applicant
Reg. No. 25,612
4 Venture, Suite 300
Irvine, CA 92618
(949) 450-1750
Facsimile (949) 450-1764